



EXPRESS MAIL NO.: EQ 104 731 808 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: YGUERABIDE *et al.* Confirmation No.: 5342
Serial No.: 09/932,128 Art Unit: 1641
Filed: August 16, 2001 Examiner: YANG, N.
For: ANALYTE ASSAY USING PARTICULATE Attorney Docket No.: 11032-021-999
LABELS (CAM: 107168-999020)

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated April 19, 2005 of the Primary Examiner finally rejecting claims 49-52, 55, 60-63, 66, 68, 71-73, 80, 84, 88 and 166-181 of the above-identified application.

The item(s) checked below are appropriate:

1. ☒ An extension of time for responding to the final rejection for 3 month(s):
☐ was filed on
☒ is submitted herewith.
2. ☒ A timely response to the final rejection has been filed.
3. ☒ A fee in the amount of \$500.00 is:
☒ Required.
☐ Not required (Fee paid in prior appeal).
4. ☐ Applicant has qualified for the 50% reduction in fee for an independent inventor, non-profit organization or small business concern and a fee in the amount of \$250.00 is:
☐ Required.
☐ Not required (Fee paid in prior appeal).
5. ☒ Please charge the required fee, if any, to Jones Day Deposit Account No. 50-3013. A copy of this sheet is enclosed.

Respectfully submitted,

Date: October 19, 2005

Richard E. Ballard

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